REMARKS

Claims 1-27, 31-36, 38-60, and 62-81 are pending in the present application.

In the office action mailed October 10, 2008, (the "Office Action"), the Examiner rejected claims 1-27, 31-36, 38-60, and 62-81 under 35 U.S.C. 112, second paragraph. The Examiner further rejected claims 1-27, 31-36, 38-60, and 62-81 under 35 U.S.C. 103(a) as being unpatentable over MDSI Mobile Data Solutions reference (the "MDSI reference") in view of U.S. Patent No. 5,467,268 to Sisley et al. (the "Sisley patent") and further in view of U.S. Patent No. 6,578,005 to Lesaint et al. (the "Lesaint patent").

An information disclosure statement was submitted on July 12, 2006 (the "IDS"). Applicant requests the Examiner consider the references cited in the Form PTO-1449 of the IDS and provide the attorney of record with a signed and initialed copy of the Form PTO-1449.

With respect to the Examiner's rejection of the claims under 35 U.S.C. 112, second paragraph, claims 1, 11, 21, 34, and 58 have been amended to overcome the rejection. The claims have been amended to remove the language in question, and to clarify the reservations that are aggregated are not limited to those reservations allocated to the same technician. That is, the reservations that are aggregated in the claims include reservations other than those for a particular mobile service representative. The reservations for a particular mobile service representative are a subset of the set of reservations that are aggregated. For the foregoing reasons, the Examiner's rejection of the claims under 35 U.S.C. 112, second paragraph, should be withdrawn.

The arguments and description of the cited art provided in the previously filed responses is maintained. The following remarks address the Examiner's response to Applicants' arguments in the previously filed response.

The claims have been amended to clarify the aggregation indicator has first and second settings to indicate whether aggregation of the reservation is enabled or not. The claims have further been amended to clarify that aggregation does not occur where the aggregation indicator is set to disable aggregation, even if the reservation has "a same value for the information defined by the aggregation parameter set." The Examiner argued that "any value that allows the aggregation to occur" is analogous to the aggregation indicator recited in the claims, and "a reservation has enabled values when a match occurs between values associated with multiple reservations." See the Office Action at page 20. Given that aggregation of a

reservation does not occur based on the setting of its aggregation indicator, even if the same value defined by the aggregation parameter set is included in the reservation, the Examiner's argument is not accurate. It may be the case that two reservations that have the same values will not be both aggregated. Whether aggregation occurs or not is not based on "when a match occurs between values associated with multiple reservations," but is dependent on the setting of the respective aggregation indicators.

The Examiner cites material in the Lesaint patent at column 12 in support of the argument the Lesaint patent teaches aggregation indicators and aggregating reservations, as recited in the claims. See the Office Action at pages 5 and 20. The cited material, as explained in the previously submitted response, identifies the types of tasks passed to the pre-scheduler 30 for pre-scheduling. As described at col. 12, line 30-32, these types of tasks are those "considered to be difficult to schedule." The Examiner appears to argue that since some tasks are pre-scheduled (i.e., tasks difficult to schedule) and other tasks are not (i.e., tasks easier to schedule), the Lesaint patent teaches selective aggregation of reservations based on an aggregation indicator, the aggregation indicator being matching information. However, in the claimed invention, reservations having the same value for the information defined by the aggregation parameter set are not aggregated if the aggregation indicator is set to disable aggregation of the reservation. Thus, in the claimed invention, it may be the case that for two reservations having the same values, one reservation would be aggregated but the other one not aggregated.

The Examiner further argues that "aggregation parameter set" recited in the claims may be broadly interpreted as "a collection of information associated with a reservation that would *cause* aggregation." See the Office Action at page 21 (emphasis added). The Examiner further argues "[a]ccording to the claims, information associated with the reservation is compared to *enable* aggregation." See id. (emphasis added). Based on the characterization of the aggregation parameter set, the Examiner concludes the Lesaint patent teaches aggregating tasks according to an aggregation parameter set, as recited in the claims. In particular, the Examiner states the Lesaint patent describes "information concerning some tasks [which] causes them to need pre-processing, while others do not." See id. The Examiner's interpretation of an aggregation parameter set as information that *causes* aggregation and characterization of the claims that comparison of information *enables* aggregation are not accurate. The "aggregation parameter set" as recited in the claims "defin[es] information of reservations to be compared

during aggregation." The limitation does not suggest the aggregation parameter set as *causing* or *enabling* aggregation of the reservation. Rather, the aggregation parameter set sets out the information to be compared *if* there is aggregation. Thus, even if we assume for the sake of argument the Examiner's characterization of the teachings of the Lesaint patent is accurate, the description of tasks having common information that is used as a basis for preprocessing, is not the same as aggregating reservations according to an aggregation parameter set because in the case of Lesaint, aggregation is *caused* by the common information, whereas in the claimed invention reservations are aggregated *according to* the parameter set, where aggregation occurs when the aggregation parameter is set to enable aggregation. That is, having common information does not enable or cause aggregation. Aggregation as recited in the claims occurs when it is enabled (by the aggregation indicator) for the reservation, and not because there is common information in the reservations.

Even if the Examiner's characterization of the teachings of the MDSI reference and the Sisley patent are considered accurate, neither reference makes up for the deficiencies of the Lesaint patent discussed above, or discussed in the previously filed responses.

For the foregoing reasons, claims 1, 11, 21, 34, and 58 are patentable over the MDSI reference in view of the Sisley patent and further in view of the Lesaint patent. Claims 2-10, 12-20, 22-27, 30-33, 35, 36, 38-49, 57, 59, 60, and 62-81, which depend from a respective allowable base claim, are similarly patentable over the MDSI reference in view of the Sisley patent and further in view of the Lesaint patent. Therefore, the Examiner's rejection of claims 1-27, 31-36, 38-60, and 62-81 under 35 U.S.C. 103(a) should be withdrawn.

All of the claims pending in the application are now in condition for allowance. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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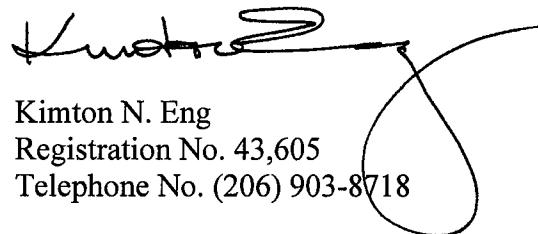
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